

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRITTNEY Y.A. CONCEPCION,
Plaintiff(s),
v.
STATE OF NEVADA, ET AL.,
Defendant(s).

Case No. 2:24-cv-01634-RFB-NJK

ORDER

[Docket No. 1]

Pending before the Court is Plaintiff's application to proceed *in forma pauperis*. Docket No. 1 at 1. The application is incomplete. "When submitting an application to proceed *in forma pauperis*, an incarcerated or institutionalized person must simultaneously submit a certificate from the institution certifying the amount of funds currently held in the applicant's trust account at the time of application and the net deposits in the applicant's account for the six months before the date of submission of the application." Local Special Rule 1-2. The applicant must also submit "a certified copy of the trust fund account statement." 28 U.S.C. § 1915(a)(2). Plaintiff did not submit this certificate or the certified account statement. Additionally, Plaintiff did not fill out all required sections and Plaintiff failed to include her signature where required. *See* Docket No. 1 at 1.

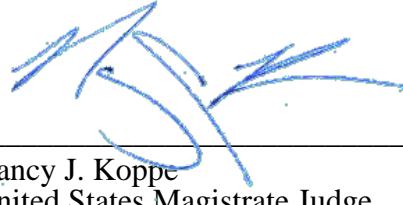
Accordingly, Plaintiff's application to proceed *in forma pauperis*, Docket No. 1, is **DENIED** without prejudice. No later than **October 21, 2024**, Plaintiff must either (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments; or (2) pay the \$405 fee for filing a civil action. **FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN A RECOMMENDATION THAT THE CASE BE DISMISSED.**

1 The Clerk's Office is **INSTRUCTED** to send Plaintiff the approved form application to
2 proceed *in forma pauperis* by a prisoner, as well as the document entitled information and
3 instructions for filing an *in forma pauperis* application.

4 Lastly, it appears that Plaintiff checked the box for a habeas motion and checked the box
5 for a 42 U.S.C. § 1983 motion on her application to proceed *in forma pauperis*. Docket No. 1 at
6 1. Plaintiff must clearly indicate in her future filings whether she is bringing a civil rights claim
7 for monetary relief or a habeas petition challenging her conviction or sentence.

8 IT IS SO ORDERED.

9 Dated: September 5, 2024



Nancy J. Koppe
United States Magistrate Judge